

DURHAM, NORTH CAROLINA  
MONDAY, DECEMBER 3, 2001  
7:00 P.M.

The Durham City Council met in regular session on the above date and time in the Council Chambers at City Hall with the following members present: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff.  
Absent: None.

Also present: City Manager Marcia L. Conner, City Attorney Henry Blinder and City Clerk D. Ann Gray and Deputy City Clerk Linda Bratcher.

Mayor Tennyson called the organizational meeting to order:

**CITY COUNCIL ORGANIZATIONAL MEETING  
MONDAY, DECEMBER 3, 2001  
7:00 P.M.**

**A. DURHAM COUNTY BOARD OF ELECTIONS MATTERS BY RONALD A. GREGORY, CHAIRMAN OF THE BOARD OF ELECTIONS AND MICHAEL H. ASHE, DIRECTOR OF ELECTIONS**

**1. Certification of November 6, 2001 Municipal Election**

Ronald A. Gregory, Chairman of the Durham County Board of Elections, presented a certified copy of the abstract of votes for the Municipal Election to City Clerk D. Ann Gray.

**MOTION** by Council Member Larson seconded by Council Member Stith to receive the abstract of the original returns of the 2001 City of Durham Municipal Election was approved at 7:06 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**[Abstract of votes cast in the Municipal Election for Mayor and for City Council Wards: 1, 2 and 3 and At-Large Seats on Tuesday, November 6, 2001 in the City of Durham, County of Durham, State of North Carolina]**

<b>For Mayor:</b>	<b>William V. "Bill" Bell</b>	<b>16,525</b>
<b>Ward 1</b>	<b>Cora M. Cole-McFadden</b>	<b>20,530</b>
<b>Ward 2</b>	<b>Howard Clement, III</b>	<b>18,530</b>
<b>Ward 3</b>	<b>John Best, Jr.</b>	<b>18,554</b>
<b>At-Large</b>	<b>Lewis A. Cheek</b>	<b>16,020</b>
	<b>Tamra Edwards</b>	<b>15,619</b>
	<b>Thomas A. Stith, III</b>	<b>18,974</b>

**2. Presentation of Election Certificates**

Ronald A. Gregory presented election certificates to the following individuals: William V. Bell, Cora M. Cole-McFadden,

**December 3, 2001**

Howard Clement, III, John P. Best, Jr., Lewis A. Cheek, Thomas A. Stith, III and Tamra M. Edwards.

### **3. 2001 Municipal Primary and Municipal City Elections**

Michael A. Ashe, Director of Elections, noted the estimated cost for the elections is \$147,000 and the final bill will be submitted in 30 days.

**MOTION** by Council Member Larson seconded by Council Member Stith to authorize payment for the 2001 Municipal Elections was approved at 7:06 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

#### **B. Presentation of Service Plaques by Mayor Nicholas J. Tennyson**

Service plaques were presented by Mayor Nicholas J. Tennyson to the following individuals: Council Members Pamela L. Blyth, Brenda B. Burnette, Dan Hill, III, Mary D. Jacobs, Angela V. Langley, Erick W. Larson, II, Floyd B. McKissick, Jr., and Jacqueline D. Wagstaff.

#### **C. Swearing In and Qualifying of Mayor by Retired District Court Judge Carolyn D. Johnson**

Retired District Court Judge Carolyn D. Johnson administered the oath of office to William V. Bell as Mayor of the City of Durham.

#### **D. Swearing In and Qualifying of City Council Members by Retired District Court Judge Carolyn D. Johnson**

Retired District Court Judge Carolyn D. Johnson administered the oath of office to the following individuals as City Council Members: John P. Best, Jr., Howard Clement, III, Lewis A. Cheek, Tamra M. Edwards, Cora M. Cole-McFadden and Thomas A. Stith, III.

#### **E. Council Members Take Their Seats**

After the swearing in of the Mayor and Council Members, the following members were present at the meeting: Mayor Bell and Council Members Best, Cheek, Clement, Cole-McFadden, Edwards and Stith.

#### **F. Presentation of Service Plaque by Mayor William V. Bell**

A service plaque was presented by Mayor Bell to Out-going Mayor Nicholas J. Tennyson.

#### **G. Statements by New Council Members**

At this time, the newly elected Council Members recognized their families and friends thanking them for their support.

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**H. Designation of Mayor Pro Tempore by Council Members**

**MOTION** by Council Member Clement seconded by Council Member Best to designate Lewis A. Cheek as Mayor Pro Tempore was approved at 8:28 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Cheek, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

At this time, Mayor Bell read a Resolution Honoring Kevin R. McDonald and Council Member McKissick read a Resolution Honoring Rev. Kenneth Ray Hammond.

Council Member Clement thanked Marion Youngblood and the Streets at Southpoint for coordinating the Light Up Durham Parade.

[The Council recessed for almost 20 minutes]

At this time, Mayor Bell called the December 3, 2001 City Council Meeting to order.

Council Member Clement congratulated Steve Medlin, of the City/County Planning Department, for being nominated Employee of the Year 2001.

Council Member Stith thanked his sister Karen and her husband for their support.

Mayor Bell made available a listing of Council Committees Appointed by the Mayor dated December 3, 2001 and suggested if there are changes to notify him.

The Mayor asked for priority items from the City Manager, City Attorney and City Clerk. Relative to the December 27 Council Work Session, City Manager Conner recommended that this meeting be held on December 20 due to the holiday.

**SUBJECT: RESCHEDULING OF THE DECEMBER 27, 2001 CITY COUNCIL WORK SESSION**

**MOTION** by Council Member Clement seconded by Council Member Stith to reschedule the December 27, 2001 City Council Work Session to December 20, 2001 was approved at 9:06 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

There were no priority items from the City Attorney or City Clerk.

Mayor Bell asked if any citizen(s) or council member(s) wanted to pull any item(s) from the Consent Agenda for discussion later in the meeting.

At the November 29, 2001 Committee of the Whole Meeting, Consent Item 3.e.4 [University Ford Bids] was pulled from the Consent Agenda. [No additional items were pulled]

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**MOTION** by Council Member Clement seconded by Mayor Pro Tempore Cheek to approve the Consent Agenda as amended was approved at 9:07 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**[ADMINISTRATIVE CONSENT]**

**SUBJECT: MINUTES FOR APPROVAL - CITY CLERK'S OFFICE**

**MOTION** by Council Member Clement seconded by Mayor Pro Tempore Cheek to approve the official minutes of November 5, 2001 Regular City Council Meeting was approved at 9:07 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: BID REPORT - MONTH OF OCTOBER 2001**

**MOTION** by Council Member Clement seconded by Mayor Pro Tempore Cheek to approve and record in the minutes the following bids and items displayed which were acted upon by the City Manager during the month of October 2001 was approved at 9:07 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**CITY OF DURHAM NORTH CAROLINA**

November 5, 2001

MEMO TO: Marcia L. Conner, City Manager

THROUGH: Navdeep S. Gill, Finance Director  
Kenneth C. Pennoyer, Assistant Finance Director

FROM: Joseph W. Clark, Purchasing Manager

SUBJECT: Bid Report

To approve and record in the minutes bids which were acted upon by the City Manager during the month of **October 2001**.

Apparatus, Supplies, Materials, Equipment, Construction, and Repairwork:

**1. Bid: Panel Workstations, (Refurbished) at the 9-1-1 Backup Center**

Purpose of Bid: To purchase panel workstations for the new 9-1-1 Backup Center

**December 3, 2001**

Comments: Bids were mailed to two known vendors that offer refurbished/recycled office workstations, however only one bid was received.

Opened: September 18, 2001

Bidders: Open Plan Systems \* \$31,295.76  
Morrisville, NC

\*Awarded based on: \_\_\_\_\_ Low Bid ☒ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	147		# Black Males	34	23.13%
Total # Females	43	29.25%	# White Males	36	24.49%
Total # Males	104	70.75%	# Other Males	34	23.13%
			# Black Females	4	2.72%
			# White Females	37	25.17%
			# Other Females	2	1.36%

LOCATION OF COMPANY PERFORMING CONTRACT  
Raleigh, NC

Total Workforce	5		# Black Males	0	0%
Total # Females	3	60%	# White Males	2	40%
Total # Males	2	40%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	3	60%
			# Other Females	0	0%

Performance Bond: \_\_\_\_\_ Waived \_\_\_\_\_ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

**2. Bid: Heart Defibrillators**

Purpose of Bid: To provide Fire Rescue with seven Heart Defibrillators

Opened: September 21, 2001

Bidders:	Freedom Medical, Inc.	*\$17,150.00
	Exton, PA	
	Southeastern Emergency Equipment	\$18,911.20
	Wake Forest, NC	
	Laerdal	\$24,741.50
	Wappingers Falls, NY	

**December 3, 2001**

\*Awarded based on: ☒ Low Bid    ☐ Other (See Comments)

**WORKFORCE STATISTICS**  
**CORPORATION STATISTICS**

Total Workforce	113		# Black Males	10	12%
Total # Females	32	28%	# White Males	71	88%
Total # Males	81	72%	# Other Males	0	0%
			# Black Females	4	13%
			# White Females	28	87%
			# Other Females	0	0%

**LOCATION OF COMPANY PERFORMING CONTRACT**  
**Gardnerville, NV**

Total Workforce	6		# Black Males	0	0%
Total # Females	1	17%	# White Males	5	83%
Total # Males	5	83%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	1	17%
			# Other Females	0	0%

Performance Bond: ☐ Waived    ☐ Not Waived    ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

**3.     Bid:             Regenerative Air Sweeper**

Purpose of Bid:        To provide the Public Works Department with a Street Sweeper

Comments:

Opened:            September 12, 2001

Bidders:	Twin States Equipment Company, Inc.	* \$93,635.00
	Marshville, NC	
	Public Works Equipment and Supply, Inc.	\$98,137.00
	Monroe, NC	
	Jet-Vac Sanitary Services	\$103,552.50
	Sumter, SC	

\*Awarded based on: ☒ Low Bid    ☐ Other (See Comments)

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by Twin States Equipment, Inc. of Marshville, NC to determine compliance with the Minority and Women Business Enterprises Ordinance.

There were no M/WBEs to provide this product.

**December 3, 2001**

The workforce statistics for Twin States Equipment, Inc. are as follows:

Location of Company Performing on Contract: Marshville, NC

	2000/2001
Total Workforce	6 100%
Total Females	2 33%
Total Males	4 67%
Black Males	1 17%
White Males	3 50%
Other Males	0 0%
Black Females	0 0%
White Females	2 33%
Other Females	0 0%

Performance Bond:    ☒ Waived                      ☐ Not Waived    ☐ Not Required

**4.     Bid:                      Generators**

Purpose of Bid:                To provide the Environmental Resources Department with generators to be installed at various pump stations located throughout the City.

Comments:

Opened:                      September 22, 2001

Bidders:	Curtis Engine & Equipment, Inc.	*	\$64,100.00
	Baltimore, MD		
	Gregory Poole Power Systems		\$69,750.00
	Raleigh, NC		
	Reagan Equipment Company, Inc.		\$70,100.00
	Marietta, GA		
	KCEM/Nextgen Power Systems, Inc.		\$73,939.00
	Raleigh, NC		

\*Awarded based on: ☒ Low Bid    ☐ Other (See Comments)

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by Curtis Engine & Equipment, Inc. of Baltimore, MD to determine compliance with the Minority and Women business Enterprises Ordinance.

There were no M/WBEs in the databank to provide this product.

The workforce statistics for Curtis Engine & Equipment, Inc. are as follows:

Location of Company Performing on Contract: Baltimore, Maryland

**December 3, 2001**

	2000			2001	
Total Workforce	18	100%	Total Workforce	22	100%
Total Females	3	17%	Total Females	3	14%
Total Males	15	83%	Total Males	19	86%
Black Males	0	0%	Black Males	0	0%
White Males	14	78%	White Males	18	82%
Other Males	1	5%	Other Males	1	4%
Black Females	0	0%	Black Females	0	0%
White Females	3	17%	White Females	3	14%
Other Females	0	0%	Other Females	0	0%

Performance Bond: \_\_\_\_\_ Waived \_\_\_\_\_ Not Waived ☒ Not Required

**5. Bid: Perkin-Elmer Maintenance Service Agreement**

Purpose of Bid: Twelve month maintenance agreement

Comments: This maintenance agreement is for South Durham WRF laboratory equipment to analyze metal in the water and wastewater.

Opened: N/A

Bidders: Perkin-Elmer Instruments \*\$19,596.60  
Norwalk, CT

\*Awarded based on: \_\_\_\_\_ Low Bid ☒ Other (See Comments)

**WORKFORCE STATISTICS**  
**CORPORATION STATISTICS**

Total Workforce	941		# Black Males	32	03.40%
Total # Females	197	20.94%	# White Males	635	67.48%
Total # Males	744	79.06%	# Other Males	77	08.18%
			# Black Females	26	02.76%
			# White Females	137	14.56%
			# Other Females	34	03.61%

Performance Bond: \_\_\_\_\_ Waived \_\_\_\_\_ Not Waived ☒ Not

The M/WBE Data Base was used in the solicitation of bids for this item.

**6. Bid: Full Face Respirators**

Purpose of Bid: To provide the Police Department with riot control respirators.

Comments:

Opened: October 9, 2001



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Bidders:	Safeco, Inc.	* \$11,718.75
	Raleigh, NC	
	Newton's Fire & Safety Equipment, Inc.	\$13,762.50
	Sweptsonville, NC	

\*Awarded based on: ☒ Low Bid    ☐ Other (See Comments)

**WORKFORCE STATISTICS  
CORPORATION STATISTICS**

Total Workforce	113		# Black Males	7	11%
Total # Females	47	42%	# White Males	57	86%
Total # Males	66	58%	# Other Males	2	3%
			# Black Females	3	6%
			# White Females	43	91%
			# Other Females	1	3%

**LOCATION OF COMPANY PERFORMING CONTRACT  
Raleigh, NC**

Total Workforce	3		# Black Males	0	0%
Total # Females	1	33%	# White Males	2	67%
Total # Males	2	67%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	1	33%
			# Other Females	0	0%

Performance Bond: ☐ Waived    ☐ Not Waived    ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

**7. Bid: Code-3 Police Vehicle Warning System**

Purpose of Bid: To provide Police vehicles with emergency warning system (light-bars)

Comments:

Opened: October 5, 2001

Bidders:	Southern Public Safety Equipment Co.	* \$41,465.25
	Greensboro, NC	
	Newton's Fire & Safety Equipment, Inc.	\$41,924.25
	Sweptsonville, NC	

\*Awarded based on: ☒ Low Bid    ☐ Other (See Comments)

**WORKFORCE STATISTICS**

**December 3, 2001**

**CORPORATION STATISTICS**

Total Workforce	12		# Black Males	0	0%
Total # Females	4	33%	# White Males	8	67%
Total # Males	8	67%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	4	33%
			# Other Females	0	0%

Performance Bond: \_\_\_\_\_ Waived \_\_\_\_\_ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

**8. Bid: Traffic Signal Equipment Parts**

Purpose of Bid: To purchase parts to maintain the traffic signal lights and equipment

Comments: Temple, Inc. is the sole source distributor for these parts.

Opened: September 25, 2001

Bidders: Temple, Inc. \*\$17,195.96  
Decatur, AL

\*Awarded based on: \_\_\_\_\_ Low Bid ☒ Other (See Comments)

**WORKFORCE STATISTICS**  
**CORPORATION STATISTICS**

Total Workforce	48		# Black Males	5	10.50%
Total # Females	18	37.50%	# White Males	24	50.00%
Total # Males	30	62.50%	# Other Males	1	2%
			# Black Females	1	2%
			# White Females	15	31.50%
			# Other Females	2	4%

Performance Bond: \_\_\_\_\_ Waived \_\_\_\_\_ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

**9. Bid: Used Administrative Vehicles**

Purpose of Bid: To provide the Police Department with used vehicles to be used in their Criminal Investigations Division.

Comments: Four cars @ \$11,555.00 each

Opened: October 12, 2001

**December 3, 2001**

Bidders:	Hertz Car Sales	*\$45,220.00
	Raleigh, NC	
	University Ford	\$49,940.00
	Durham, NC	
	Rick Hendrick Chevrolet	\$53,300.00
	Durham, NC	

\*Awarded based on: ☒ Low Bid    \_\_\_\_\_ Other (See Comments)

**WORKFORCE STATISTICS**  
**CORPORATION STATISTICS**

Total Workforce	64		# Black Males	13	20%
Total # Females	16	25%	# White Males	34	53%
Total # Males	48	75%	# Other Males	1	2%
			# Black Females	10	15%
			# White Females	4	5%
			# Other Females	2	3%

Performance Bond: \_\_\_\_\_ Waived    \_\_\_\_\_ Not Waived    ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

**10.    Bid:                    Walk-In Freezer and Two Ice Machines**

Purpose of Bid:            To install and set up a walk-in freezer and two ice machines for the Durham Marriott Hotel and Civic Center.

Comments:                U. S. Foodservice meets the standards and requirements for the Marriott Hotel Chain for appliances and equipment.

Opened:                  October 12, 2001

Bidders:	U. S. Foodservice	*\$25,301.90
	Raleigh, NC	

\*Awarded based on: \_\_\_\_\_ Low Bid    ☒ Other (See Comments)

**WORKFORCE STATISTICS**  
**CORPORATION STATISTICS**

Total Workforce	997		# Black Males	262	26.27%
Total # Females	160	16.05%	# White Males	548	54.96%
Total # Males	837	83.95%	# Other Males	27	2.70%
			# Black Females	37	3.71%
			# White Females	122	12.23%
			# Other Females	1	00.01%

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Performance Bond: \_\_\_\_\_ Waived \_\_\_\_\_ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

**11. Bid: Three Submersible Mixers**

Purpose of Bid: To replace wastewater treatment mixers

Comments: These mixers will be used in the wastewater treatment at the South Durham WRF.

Opened: October 15, 2001

Bidders: U. S. Filter - Davco Products \*\$16,200.00  
Thomasville, GA

\*Awarded based on: \_\_\_\_\_ Low Bid ☒ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	236		# Black Males	27	11.44%
Total # Females	19	08.00%	# White Males	189	80.08%
Total # Males	217	92.00%	# Other Males	1	00.42%
			# Black Females	9	03.81%
			# White Females	10	04.24%
			# Other Females	0	00.00%

Performance Bond: \_\_\_\_\_ Waived \_\_\_\_\_ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

**12. Bid: Azteca Cityworks Site License Renewal**

Purpose of Bid: To renew Site License for the Public Works Department

Comments: This software interfaces with all divisions under the Public Works Department.

Opened: October 18, 2001

Bidders: Azteca Systems, Inc. \*\$22,500.00  
Sandy, Utah

\*Awarded based on: \_\_\_\_\_ Low Bid ☒ Other (See Comments)

WORKFORCE STATISTICS

December 3, 2001

CORPORATION STATISTICS

Total Workforce	17		# Black Males	0	00.00%
Total # Females	4	24.00%	# White Males	10	59.00%
Total # Males	13	76.00%	# Other Males	3	18.00%
			# Black Females	0	00.00%
			# White Females	4	23.00%
			# Other Females	0	00.00%

Performance Bond: \_\_\_\_\_ Waived \_\_\_\_\_ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

**13. Bid: Banquet Glass Racks and Plate Dollies**

Purpose of Bid: To provide the Durham Marriott Hotel and Civic Center with banquet glass racks and plate dollies.

Comments: Ecolab is the regional supplier for these glass racks and plate dollies.

Opened: October 19, 2001

Bidders: Ecolab, Inc. \*\$25,263.00  
Raleigh, NC

\*Awarded based on: \_\_\_\_\_ Low Bid ☒ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	10,346		# Black Males	482	04.66%
Total # Females	2,396	23.00%	# White Males	6732	65.07%
Total # Males	7,950	77.00%	# Other Males	736	07.11%
			# Black Females	155	01.50%
			# White Females	2082	20.12%
			# Other Females	159	01.54

Performance Bond: \_\_\_\_\_ Waived \_\_\_\_\_ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

**14. Bid: Estimated Annual Requirements for Sodium Hypochlorite (808 tons)**

Purpose of Bid: To provide Environmental Resources Williams WTP with their annual usage of sodium hypochlorite.

Comments: Sodium Hypochlorite is used for disinfection of the drinking water.

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Opened: October 1, 2001

Bidders:	Brenntag Southeast, Inc.	*\$78,400.00
	Durham, NC	
	Jones Chemicals	\$84,800.00
	Charlotte, NC	

\*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by Brenntag Southeast Inc. of Durham, North Carolina to determine compliance with the Minority and Women Business Enterprises Ordinance.

There were no M/WBE firms available to provide this product.

The workforce statistics for Brenntag Southeast Inc. are as follows:

	2000			2001
Total Workforce	109		Total Workforce	109
Total # of Females	31	28%	Total # of Females	30 48%
Total # of Males	78	72%	Total # of Males	79 52%
Total # of Black Males	48	44%	Total # of Black Males	48 44%
Total # of White Males	29	27%	Total # of White Males	31 28%
Total # of Other Males	1	1%	Total # of Other Males	1 1%
Total # of Black Females	2	1%	Total # of Black Females	2 1%
Total # of White Females	28	27%	Total # of White Females	28 26%
Total # of Other Females	0	0%	Total # of Other Females	0 0%

Performance Bond: ☐ Waived ☒ Not Waived ☐ Not Required

**15. Bid: One (1) Used Van for the Police Department**

Purpose of Bid: To provide the Organized Crime division of the Police Department with a vehicle to be used in their covert operations.

Comments:

Opened: October 4, 2001

Bidders:	Elkins Chrysler-Plymouth	*\$17,200.00
	Durham, NC	
	Hertz Used Car Sales	\$18,595.00
	Raleigh, NC	

\*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

**December 3, 2001**

Total Workforce	64		# Black Males	13	20%
Total # Females	16	25%	# White Males	34	53%
Total # Males	48	75%	# Other Males	1	2%
			# Black Females	5	8%
			# White Females	11	17%
			# Other Females	0	0%

Performance Bond: \_\_\_\_\_ Waived \_\_\_\_\_ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

**16. Bid: Estimated Annual Requirements for Ready Mixed Concrete and Related Items**

Purpose of Bid: To provide City Departments/Divisions with their annual requirements for concrete and related items.

Comments:

Opened: October 22, 2001

Bidders:	Carolina Sunrock Corp.	*\$23,710.00
	Butner, NC	
	Chandler Concrete Co., Inc.	\$39,425.00
	Burlington, NC	

\*Awarded based on: ☒ Low Bid \_\_\_\_\_ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	3		# Black Males	0	0%
Total # Females	1	10.00%	# White Males	2	10%
Total # Males	2	90.00%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	1	90%
			# Other Females	0	0%

LOCATION OF COMPANY PERFORMING CONTRACT  
Durham, NC

Total Workforce	26		# Black Males	13	50%
Total # Females	0	0%	# White Males	10	38%
Total # Males	26	100%	# Other Males	3	12%
			# Black Females	0	0%
			# White Females	0	0%
			# Other Females	0	0%

**December 3, 2001**

Performance Bond: \_\_\_\_\_ Waived \_\_\_\_\_ Not Waived **X** Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

**17. Bid: Food Warmers and Tables**

Purpose of Bid: To provide the Durham Marriott Hotel and Civic Center with Food Warmers and Tables

Comments: Sico America, Inc. is the regional distributor for these items.

Opened: October 19, 2001

Bidders: Sico America, Inc. \*\$20,015.50  
Alpharetta, GA

\*Awarded based on: \_\_\_\_\_ Low Bid **X** Other (See Comments)

**WORKFORCE STATISTICS**  
**CORPORATION STATISTICS**

Total Workforce	54		# Black Males	8	14.8%
Total # Females	4	07%	# White Males	42	77.8%
Total # Males	50	93%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	4	7.4%
			# Other Females	0	0%

Performance Bond: \_\_\_\_\_ Waived \_\_\_\_\_ Not Waived **X** Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

Sufficient funds were available at the time of the award. The Administration recommends acceptance of the above bids denoted by an asterisk (\*).

JWC:lm

**SUBJECT: BIDS - ESTIMATED ANNUAL REQUIREMENTS FOR ASPHALTIC CONCRETE - CAROLINA SUNROCK CORPORATION**

**MOTION** by Council Member Clement seconded by Mayor Pro Tempore Cheek to accept the bid from Carolina Sunrock Corporation in the amount of \$147,028.50 for providing the City with its estimated annual requirements for asphaltic concrete; and

To authorize the City Manager to enter into a contract with Carolina Sunrock Corporation in the amount of \$147,028.50 for providing the City with its estimated annual requirements for asphaltic concrete; and



**December 3, 2001**

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the contract was approved at 9:07 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: BIDS - TWO 4 X 4 BACKHOES - BRIGGS CONSTRUCTION EQUIPMENT, INC**

**MOTION** by Council Member Clement seconded by Mayor Pro Tempore Cheek to accept the bid from Briggs Construction Equipment, Inc. in the amount of \$138,686 for providing the City with two 4 x 4 backhoes; and

To waive the requirement for a Performance Bond; and

To authorize the City Manager to enter into a contract with Briggs Construction Equipment, Inc. in the amount of \$138,686 for providing the City with two 4 x 4 backhoes; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the contract was approved at 9:07 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: BIDS - ESTIMATED ANNUAL REQUIREMENTS FOR THERMOPLASTIC MARKING MATERIAL - SUSANNAH DOBBS COMPANY, LLC, DBA DOBCO**

**MOTION** by Council Member Clement seconded by Mayor Pro Tempore Cheek to accept the bid from Susannah Dobbs Company, LLC, dba DOBCO, in the amount of \$127,400 for providing the City with its estimated annual requirements for thermoplastic pavement marking material; and

To authorize the City Manager to enter into a contract with Susannah Dobbs Company, LLC, dba DOBCO, in the amount of \$127,400 for providing the City with its estimated annual requirements for thermoplastic pavement marking material; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the contract was approved at 9:07 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

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**SUBJECT: BIDS - ONE FIRE AND RESCUE PUMPER - STEVENS FIRE EQUIPMENT, INC.**

**MOTION** by Council Member Clement seconded by Mayor Pro Tempore Cheek to accept the bid from Stevens Fire Equipment, Inc. in the amount of \$220,523.33 for furnishing the City with a fire and rescue pumper; and

To authorize the City Manager to enter into a contract with Stevens Fire Equipment, Inc. in the amount of \$220,523.33 for furnishing the City with a fire and rescue pumper; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the contract was approved at 9:07 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: BIDS - VEHICLES [BOBBY MURRAY CHEVROLET - PARKS CHEVROLET - RICK HENDRICK - UNIVERSITY FORD]**

**1) Bobby Murray Chevrolet Bids**

**MOTION** by Council Member Clement seconded by Mayor Pro Tempore Cheek to accept the bid from Bobby Murray Chevrolet in the amount of \$496,423.71 for providing the City with nine compact sedans (Item No. 1), four mid-sized sedans (Item No. 2), three FWD police pursuit vehicles (Item No. 3), one 8,600 GVWR crew cab service (Item No. 10), three mini passenger vans (Item No. 13), five 4 x 4 compact sport utility vehicles (Item No. 17), and two 32,000 GVWR dump trucks (Item No. 19); and

To authorize the City Manager to enter into a contract with Bobby Murray Chevrolet in the amount of \$496,423.71 for providing the City with nine compact sedans (Item No. 1), four mid-sized sedans (Item No. 2), three FWD police pursuit vehicles (Item No. 3), one 8,600 GVWR crew cab service (Item No. 10), three mini passenger vans (Item No. 13), five 4 x 4 compact sport utility vehicles (Item No. 17), and two 32,000 GVWR dump trucks (Item No. 19) was approved at 9:07 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**2) Parks Chevrolet Bids**

**MOTION** by Council Member Clement seconded by Mayor Pro Tempore Cheek to accept the bid from Parks Chevrolet in the amount of \$143,456 for providing the City with seven compact

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pickup trucks (Item No. 6), one extended cab compact pickup truck (Item No. 7) and two 4-door 2WD utility vehicles (Item No. 17); and

To authorize the City Manager to enter into a contract with Parks Chevrolet in the amount of \$143,456 for providing the City with seven compact pickup trucks (Item No. 6), one extended cab compact pickup truck (Item No. 7) and two 4-door 2WD utility vehicles (Item No. 17) was approved at 9:07 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**3) Rick Hendrick Chevrolet Bids**

**MOTION** by Council Member Clement seconded by Mayor Pro Tempore Cheek to accept the bid from Rick Hendrick Chevrolet in the amount of \$299,030.43 for providing the City with five 8,600 GVWR pickup trucks (Item No. 8), eight 8,600 GVWR 4 x 4 pickup trucks (Item No. 9), two 9,200 GVWR cargo vans (Item No. 14), and one 15 passenger van (Item No. 15); and

To authorize the City Manager to enter into a contract with Rick Hendrick Chevrolet in the amount of \$299,030.43 for providing the City with five 8,600 GVWR pickup trucks (Item No. 8), eight 8,600 GVWR 4 x 4 pickup trucks (Item No. 9), two 9,200 GVWR cargo vans (Item No. 14), and one 15 passenger van (Item No. 15) was approved at 9:07 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**MOTION** by Council Member Clement seconded by Mayor Pro Tempore Cheek to authorize the City Manager to modify the contracts with the aforementioned bidders before execution provided that modifications do not increase the dollar amount of the contracts and the modifications are consistent with the general intent of the contracts; and

To waive the requirement for a Performance bond for each of the aforementioned bidders was approved at 9:07 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**4) University Ford Bids**

**Note:** At the November 29, 2001 Committee of the Whole Meeting this item was pulled from the Consent Agenda to be considered separately at the December 3, 2001 Meeting with revisions to the motion.

To accept the bid from University Ford in the amount of \$1,231,896 for providing the City with six RWD police pursuit

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vehicles (Item No. 4), forty-six police patrol vehicles (Item No. 5), one 8,600 GVWR 4 x 4 extended cab pickup truck (Item No. 11), one 8,600 GVWR crew cab pickup truck (Item No. 12), and one commercial cutaway utility service van (Item No. 16).

To authorize the City Manager to enter into a contract with University Ford in the amount of \$1,231,896 for providing the City with six RWD police pursuit vehicles (Item No. 4), forty-six police patrol vehicles (Item No. 5), one 8,600 GVWR 4 x 4 extended cab pickup truck (Item No. 11), one 8,600 GVWR crew cab pickup truck (Item No. 12), and one commercial cutaway utility service van (Item No. 16).

**SUBJECT: XEROX EQUIPMENT LEASE AGREEMENT FOR THE PRINT SHOP - XEROX CORPORATION**

**MOTION** by Council Member Clement seconded by Mayor Pro Tempore Cheek to authorize the City Manager to enter into a lease agreement with the Xerox Corporation in the amount of \$4,693.70 per month for a five-year period for providing the City with a Xerox 5690 Doculink high-speed duplicator, a Xerox Docucolor 12 printer/copier, a Xerox X-12 Fiery interface computer, and a stitcher/folder attachment for the high-speed duplicator; and

To authorize the City Manager to modify the lease agreement before execution provided that modifications do not increase the dollar amount of the lease agreement and the modifications are consistent with the general intent of the lease agreement was approved at 9:07 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: PARKING PROHIBITION - CITY HALL DROP OFF ZONE**

**MOTION** by Council Member Clement seconded by Mayor Pro Tempore Cheek to adopt an "Ordinance Prohibiting Parking on Portion of City Hall Drop Off Zone" located off Mangum Street, in the area beginning 157 feet north of the north curb line of City Hall Plaza, if extended, and extending for a distance of 161 feet northwardly was approved at 9:07 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**Ordinance #12452**

**SUBJECT: PARKING PROHIBITION - U.S. 15-501 RIGHT OF WAY (NORTHEAST OF MT. MORIAH ROAD)**

**MOTION** by Council Member Clement seconded by Mayor Pro Tempore Cheek to adopt an ordinance to rescind Ordinance #12263 adopted April 2, 2001, prohibiting parking on the south side of U.S. 15-

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501 Service Road (northeast of Mt. Moriah Road) from the south end of street maintenance to the north end of street maintenance; and

To adopt an "Ordinance Prohibiting Parking on Portion of U.S. 15-501 Right of Way" between Mt. Moriah Road and Garrett Road was approved at 9:07 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**Ordinance #12453 - 12454**

**SUBJECT: MINIMUM DIRT STREET OPENING ON YORKSHIRE DRIVE - FROM SOUTH PROPERTY LINE OF TAX MAP 768-2-6B TO NORTH PROPERTY LINE OF TAX MAP 768-2-7 - SETTING PUBLIC HEARING**

**MOTION** by Council Member Clement seconded by Mayor Pro Tempore Cheek to accept a Certificate of Sufficiency from the Manager of Engineering for the petition for minimum dirt street opening on Yorkshire Drive - from south property line of Tax Map 768-2-6B to north property line of Tax Map 768-2-7; and

To adopt a resolution setting a public hearing on Monday, December 17, 2001 to consider ordering the improvement was approved at 9:07 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: SEWER MAIN ON SO-HI DRIVE FROM EASTWOOD DRIVE TO NORTH PROPERTY LINE OF TAX MAP #555-3-30A (UNDER THE ENABLING ACT AUTHORITY)**

**MOTION** by Council Member Clement seconded by Mayor Pro Tempore Cheek to adopt a resolution setting a public hearing on Monday, December 17, 2001 to consider ordering sewer main on So-Hi Drive from Eastwood Drive to the north property line of Tax Map #555-3-30A under the Enabling Authority was approved at 9:07 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**[GENERAL BUSINESS AGENDA]**

**[PUBLIC HEARINGS]**

**SUBJECT: STREET OPENING, CURB, GUTTER AND PAVING ON WAYNE STREET - FROM EBON ROAD TO WORTLEY DRIVE**

Due to objections, Lee Murphy, of the Public Works Department, requested that the properties of Wallace Braswell and William Brooks be referred to a future Council Work Session and to continue the public hearing without further advertising until the

**December 3, 2001**

December 17, 2001 City Council Meeting.

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard.

William Brooks, of 5014 Wayne Street, raised a concern with this item.

Wallace Braswell, of 2214 Southgate, raised a concern with this item relative to the properties he owns on Wayne Street and urged Council to give him some relief on the assessments.

There being no further objections and/or allegations, the public hearing was declared closed.

**MOTION** by Council Member Clement seconded by Council Member Best to adopt a resolution confirming the assessment roll for street opening, curb, gutter and paving on Wayne Street from Ebon Road to Wortley Drive and to refer the properties of Wallace Braswell and William Brooks to a future City Council Work Session for further consideration and to continue the public hearing without further advertising until the December 17, 2001 City Council Meeting was approved at 9:13 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: WATER AND SEWER LATERALS ON WAYNE STREET - FROM EBON ROAD TO WORTLEY DRIVE**

Due to objections, Lee Murphy, of the Public Works Department, requested that the properties of Wallace Braswell and William Brooks be referred to a future Council Work Session and to continue the public hearing without further advertising until the December 17, 2001 City Council Meeting.

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no further objections and/or allegations, the public hearing was declared closed.

**MOTION** by Council Member Clement seconded by Council Member Stith to adopt a resolution confirming the assessment roll for water and sewer lateral on Wayne Street from Ebon Road to Wortley Drive and to refer the properties of Wallace Braswell and William Brooks to a future City Council Work Session for further consideration and to continue the public hearing without further advertising until the December 17, 2001 City Council Meeting was approved at 9:15 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: WATER MAIN ON WAYNE STREET - FROM EBON ROAD TO WORTLEY DRIVE**

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Due to objections, Lee Murphy, of the Public Works Department, requested that the properties of Wallace Braswell and William Brooks be referred to a future Council Work Session and to continue the public hearing without further advertising until the December 17, 2001 City Council Meeting.

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no further objections and/or allegations, the public hearing was declared closed.

**MOTION** by Council Member Clement seconded by Council Member Stith to adopt a resolution confirming the assessment roll for water main on Wayne Street from Ebon Road to Wortley Drive and to refer the properties of Wallace Braswell and William Brooks to a future City Council Work Session for further consideration and to continue the public hearing without further advertising until the December 17, 2001 City Council Meeting was approved at 9:16 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: SEWER MAIN ON WAYNE STREET - FROM EBON ROAD TO WORTLEY DRIVE.**

Due to objections, Lee Murphy, of the Public Works Department, requested that the properties of Wallace Braswell and William Brooks be referred to a future Council Work Session and to continue the public hearing without further advertising until the December 17, 2001 City Council Meeting.

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard.

Wallace Braswell, of 2214 Southgate, raised a concern with this item.

There being no further objections and/or allegations, the public hearing was declared closed.

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Edwards to adopt a resolution confirming the assessment roll for sewer main on Wayne Street from Ebon Road to Wortley Drive and to refer the properties of Wallace Braswell and William Brooks to a future City Council Work Session for further consideration and to continue the public hearing without further advertising until the December 17, 2001 City Council Meeting was approved at 9:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: SIDEWALK ON WATTS STREET (EAST SIDE) - FROM SOUTH**

**December 3, 2001**

PROPERTY LINE OF TAX MAP 16-8-2 TO NORTH PROPERTY LINE  
OF TAX MAP 17-1-9

Lee Murphy, of the Public Works Department, requested the public hearing on this item be continued until the December 17, 2001 City Council Meeting without further advertising.

To adopt a resolution ordering sidewalk on Watts Street (East Side) from south property line of Tax Map 16-8-2 to north property line of Tax Map 17-1-9.

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard.

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Best to continue the public hearing on this item until the December 17, 2001 City Council Meeting without further advertising was approved at 9:19 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: STREET OPENING, CURB, GUTTER AND PAVING, STORM DRAINAGE, WATER MAIN AND WATER AND SEWER LATERALS ON ROANE STREET - FROM END OF PAVEMENT TO NORTH PROPERTY LINE OF TAX MAP 603-4-3 NORTH TO PROPERTY LINE OF TAX MAP 603-4-1.**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Council Member Clement seconded by Council Member Edwards to adopt a resolution ordering street opening, curb, gutter and paving, storm drainage, water main and water and sewer laterals on Roane Street from end of pavement to north property line of Tax Map 603-4-3 north to property line of Tax Map 603-4-1 was approved at 9:20 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: VOLUNTARY ANNEXATION PETITIONS SUBMITTED PRIOR TO OCTOBER 1, 2001 - LOFLIN TRACT - HUNTINGTON RIDGE/SCOGGINS PROPERTY**

Vincent Taylor, of the Budget Office, requested Council to delete the Fire Service motions on both annexations. He stated the City is paying debt service for Parkwood and Bethesda Fire Departments. Also, he noted that staff is recommending that the Loflin Tract annexation be continued due to a request made by a representative of Loflin Tract.

**a. Loflin Tract**



**December 3, 2001**

**1) Annexation**

To receive citizens' comments regarding annexation of the Loflin Tract, 15.50 acres on the east side of Ellis Road and abutting NC 147, located contiguous to the City Limits.

To adopt "An Ordinance Annexing to the City of Durham an Area Hereinafter Described and Which Abuts Directly on the Present Corporate Boundary of the City of Durham, under the Provisions of NCGS 160A-31 Et. Seq. (Loflin Tract)."

**2) Fire Service**

To authorize the City Manager to execute an amendment to the existing half-base contract with Bethesda Volunteer Fire Department to provide supplemental fire protection over a five-year period with the same terms and conditions as services are provided to other areas in such contracts.

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard.

Dawn Heric, representing the property owner, requested that the public hearing on this item be continued until the January 22, 2002 City Council Meeting.

In the future, Mayor Bell requested staff to prepare a separate cost benefit analysis and a separate listing of expenditures for each annexation.

Council Member Clement made comments about voluntary/involuntary standards for annexations.

Mayor Bell asked staff to provide information on what would be the cost to the City in bringing these properties in to the city limits of Durham and in providing fire protection.

**MOTION** by Council Member Clement seconded by Mayor Pro Tempore Cheek to continue the public hearing on this annexation until the January 22, 2002 City Council Meeting and to delete the fire service contract for Bethesda Volunteer Fire Department was approved at 9:32 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**b. Huntington Ridge/Scoggins Property**

**1) Annexation**

To receive citizens' comments regarding annexation of Huntington Ridge/Scoggins Property, 35.36 acres on the west side of Fayetteville Road, south of I-40 and Massey Chapel Road, located contiguous to the City Limits.

To adopt "An Ordinance Annexing to the City of Durham an Area

**December 3, 2001**

Hereinafter Described and Which Abuts Directly on the Present Corporate Boundary of the City of Durham, under the Provisions of NCGS 160A-31 Et. Seq. (Huntington Ridge/Scoggins Property)."

**2) Fire Service**

To authorize the City Manager to execute an amendment to the existing half-base contract with Parkwood Volunteer Fire Department to provide supplemental fire protection over a five-year period with the same terms and conditions as services are provided to other areas in such contracts.

City Manager Conner noted since the Mayor is requesting a breakdown of the debt service, she asked Council to defer the public hearing on this annexation until the December 17, 2001 City Council Meeting with a report to be given at the December 6 City Council Work Session.

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Clement to defer the public hearing on this annexation until the December 17, 2001 City Council Meeting with a report to be given at the December 6 Council Work Session and to delete the fire service contract for Parkwood Volunteer Fire Department was approved at 9:34 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**[OTHER MATTERS]**

**Note:** The following items were placed on the General Business Agenda due to cancellation of the November 22, 2001 Finance Committee Meeting and the November 26, 2001 Public Works Committee Meeting.

**SUBJECT: NC 54/I-40 CORRIDOR STUDY PLAN**

To receive a report from the Administration--clarifying language on Kentington Heights Future Land Use Plan.

To adopt the NC 54/I-40 Corridor Study Plan (including Corridor Study Draft Plan, two parts--Narrative and Map Book; update dated June 25, 2001; and update labeled Housing).

**MOTION** by Council Member Clement seconded by Council Member Stith to defer this item until the December 17, 2001 City Council Meeting was approved at 9:34 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: NORTH CAROLINA CHIEFS OF POLICE ASSOCIATION WINTER CONFERENCE - AMENDMENT TO COUNCIL'S POLICY CONCERNING**

December 3, 2001

**SOLICITATION OF CONTRIBUTIONS BY THE CITY AND RESOLUTION  
OF SUPPORT**

**MOTION** by Council Member Clement seconded by Council Member Stith to approve an amendment to Council's *Policy Concerning Solicitation of Contributions by the City*, adopted September 21, 1981, as amended, to authorize members of the Durham Police Department to solicit for money, property and services through February 6, 2002 for the North Carolina Chiefs of Police Association Winter Conference to be held in the City of Durham, February 3 through 6, 2002; and

To adopt a "Resolution to Show Support Regarding the North Carolina Chiefs of Police Association Winter Conference to be held in the City of Durham February 3 through 6, 2002" was approved at 9:34 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**Resolution #8824**

**SUBJECT: U.S. DEPARTMENT OF JUSTICE BULLETPROOF VEST  
REIMBURSEMENT PROGRAM - GRANT PROJECT ORDINANCE**

**MOTION** by Council Member Best seconded by Council Member Cole-McFadden to adopt the "City of Durham North Carolina and U.S. Department of Justice Bulletproof Vest Partnership Grant Project Ordinance" accepting reimbursement in the amount of \$6,017.84 for vests purchased by the City of Durham was approved at 9:35 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**Ordinance #12455**

**SUBJECT: CITYWIDE DOMESTIC VIOLENCE UNIT GRANTS TO ENCOURAGE  
ARRESTS AWARD AND GRANT PROJECT ORDINANCE**

**MOTION** by Council Member Clement seconded by Council Member Edwards to accept the award from the U.S. Department of Justice Violence Against Women Grants Office in the amount of \$106,556 to be used by *Arise: Coalition for Domestic Violence Services* to continue programs and services for victims of domestic violence; and

To adopt the "City of Durham North Carolina and the U.S. Department of Justice Office of Violence Against Women, 'Grants to Encourage Arrest Policies' Grant Project Ordinance" was approved at 9:36 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**Ordinance #12456**

**December 3, 2001**

**SUBJECT: REVISION OF GRANT PROJECT ORDINANCES #12024, #12081 AND #12131 TO REFLECT THE ACTUAL REVENUE AND ACCRUED INTEREST RECEIVED FOR THE 1998, 1999, AND 2000 LOCAL LAW ENFORCEMENT GRANTS**

**MOTION** Mayor Pro Tempore Cheek seconded by Council Member Clement to adopt the "Revision of Grant Project Ordinance #12024 Concerning the City of Durham and U.S. Department of Justice 1998 Local Law Enforcement Block Grant Ordinance"; and

To adopt the "Revision of Grant Project Ordinance #12081 Concerning the City of Durham and U.S. Department of Justice 1999 Local Law Enforcement Block Grant Ordinance"; and

To adopt the "Revision of Grant Project Ordinance #12131 Concerning the City of Durham and U.S. Department of Justice 2000 Local Law Enforcement Block Grant Ordinance" was approved at 9:36 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**Ordinance #12457 - 12458 - 12459**

**SUBJECT: MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF DURHAM AND THE RALEIGH-DURHAM AREA VIOLENT CRIMES/FUGITIVE TASK FORCE SPONSORED BY THE F.B.I. AND GRANT PROJECT ORDINANCE**

**a. Memorandum of Understanding**

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Edwards to ratify the Memorandum of Understanding between the City of Durham and the Raleigh-Durham Area Violent Crimes/Fugitive Task Force Sponsored by the F.B.I. was approved at 9:37 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**b. Grant Project Ordinance**

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Edwards to adopt the "Grant Project Ordinance for the City of Durham and the Raleigh-Durham Area Violent Crimes/ Fugitive Task Force (RDAVCFTF) Initiative" was approved at 9:37 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**Ordinance #12460**

**SUBJECT: ACCEPTANCE OF THE DONATION OF A PARCEL CONTAINING 20.892**

**December 3, 2001**

**ACRES FROM AFFORDABLE CARE, INCORPORATED AS AN ADDITION  
TO THE GREENWAY SYSTEM**

**MOTION** by Council Member Clement seconded by Mayor Pro Tempore Cheek to accept property located off Highway 55 and Meredith Drive, known as Tax Map #541-01-010B, PIN #0728-04-92-2020, containing approximately 14.08 acres; Tax Map #541-01-010C, PIN #0728-04-92-1279, containing approximately 6.829 acres; and Tax Map #542-01-008E, PIN #0728-04-92-8451, containing approximately 0.109 acres from Affordable Care, Incorporated as an addition to the Greenway System was approved at 9:37 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: ENTERPRISE RESOURCE PLANNING SYSTEM CONSULTING SERVICE  
CONTRACT WITH SOFTRESOURCES**

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Clement to authorize the City Manager to execute the Enterprise Resource Planning System Consulting Service Contract with SoftResources in the amount of \$51,926; and

To authorize the City Manager to make changes to the contract prior to execution providing the changes do not increase the price to be paid by the City and do not decrease the services to be provided to the City was approved at 9:37 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: SUBRECIPIENT CONTRACT WITH OPERATION BREAKTHROUGH, INC.  
FOR A WEATHERIZATION PROGRAM**

**MOTION** by Council Member Clement seconded by Council Member Stith to authorize the City Manager to execute a Subrecipient Contract with Operation Breakthrough, Inc. in an amount not to exceed \$100,000 of Community Development Block Grant funds for a weatherization program to provide weatherization grants to low-income residents to help maintain a structurally safe and energy efficient environment was approved at 9:38 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: ITEMS REQUESTED BY COUNCIL MEMBER ANGELA V. LANGLEY**

**MOTION** by Council Member Clement seconded by Council Member Stith to receive a report on the following items was approved at 9:39 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

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- a. African American Male Outreach Program (AAMOP) for drug rehabilitation, housing, and employment opportunities/training;
- b. Special Needs Housing for disabled persons through Habitat for Humanity;
- c. Improvement of Data Paratransit services;
- d. West End Community Neighborhood Improvement Program near Lyon Park Family Life Center - Kent Street/ Rosedale Avenue;
- e. Create employment opportunities (to show diversity at City Hall) for persons with disabilities.

**SUBJECT: DURHAM HOUSING AUTHORITY APPOINTMENT**

**MOTION** by Council Member Cole-McFadden seconded by Council Member Clement to appoint Alice Anderson to the Durham Housing Authority for the position of a resident directly assisted by the public housing authority--term will expire September 28, 2005 was approved at 9:40 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: SITE PLAN APPROVAL - GREEN GARDENS SUBDIVISION**

**MOTION** by Council Member Clement seconded by Council Member Edwards to approve a site plan for Green Gardens Subdivision, submitted by Duane K. Stewart and Associates on behalf of ET Development Corporation, consisting of 150 single family lots and open space on a ±39.08 acre site, zoned PDR 3.84 and located on the west side of Fayetteville Road and south of Martin Luther King, Jr. Parkway (Tax Map #514-05-01 and #514-05-07C partial; PIN #0729-02-56-8387 and #0729-92-56-3865 partial; City Atlas Page 37, B-1 and C-1) was approved at 9:40 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: STATUS REPORT ON DURHAM'S WATER SUPPLY AND WATER CONSERVATION ORDINANCE AMENDMENT**

Dayle Reynolds, of 2955 Guess Road and representing car washer operators, requested a meeting with the City Manager to develop equitable solutions for all businesses to help conserve water.

Victor Wallace, of 3639 Chapel Hill Boulevard, made comments about the City's water crisis noting he would like to work with the City to come up with a conservation plan.

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Emanuel Dunegan, of 2909 Nellowood Street, noted he is a house painter and raised a concern about this item urging Council to find other ways to limit the use of water.

Terry Rolan, Environmental Resources Director, noted staff is recommending that the City go to Stage II of the Water Conservation Ordinance and highlighted the conservation measures outlined in Stage III.

Mayor Pro Tempore Cheek asked staff how much notice would the City give business owners if it's necessary to move to Stage III.

Terry Rolan, Environmental Resources Director, noted that staff would re-evaluate the situation in three weeks and come back with a report to Council. Also, he noted the proposed change in the Ordinance would allow the City Manager to take action on Stage III without going back for Council approval.

Council Member Stith asked staff how they are going to educate the public on Stage II.

Beverly Thompson, Public Affairs Manager, outlined how the media has done an effective job in informing the public on conservation methods and discussed ways of educating the public by highlighting the following: media, web-site, radio and television advertising if the City moves to a more drastic level.

Council held discussion on the Ordinance.

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Edwards to receive a report on the status of Durham's water supply; and

To adopt an "An Ordinance to Amend Chapter 23 of the Durham City Code to Authorize the City Manager to Determine the Necessity of Conservation Stages, with Reporting to Council"; and

To set the water conservation measure at Stage II was approved at 10:02 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**Ordinance #12461**

**SUBJECT: ADDITIONAL REVISIONS TO CITY COUNCIL PROCEDURES**

**MOTION** by Council Member Clement seconded by Council Member Stith to adopt additional revisions to City Council Procedures was approved at 10:02 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: CONTRACT WITH UNIVERSITY OF NORTH CAROLINA SMALL**

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**BUSINESS AND TECHNOLOGY DEVELOPMENT CENTER TO ESTABLISH  
A FULL-TIME OFFICE IN THE CITY OF DURHAM AND PROVIDE  
BUSINESS DEVELOPMENT SERVICES**

Mayor Bell made comments about the City Attorney's Office role in reviewing contracts and noted the City Attorney has reviewed this contract.

**MOTION** by Council Member Clement seconded by Council Member Cole-McFadden to authorize the City Manager to execute a contract with the University of North Carolina's Small Business and Technology Development Center (SBTDC) in the amount of \$67,000 to establish a full-time office in the City of Durham and to provide business development services for Fiscal Year 2001-2002 was approved at 10:03 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: SUBRECIPIENT CONTRACT WITH VISIONS OF TOMORROW COMMUNITY  
DEVELOPMENT CORPORATION - WALLTOWN COMMUNITY**

Mayor Bell noted that the City Attorney acknowledged that he has reviewed this contract.

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Clement to authorize the City Manager to execute a Subrecipient Contract with Visions of Tomorrow Community Development Corporation in an amount not to exceed \$50,000 of Community Development Block Grant funds to provide intensive training to the unemployed in the Walltown Community was approved at 10:04 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

At this time, Mayor Bell noted a citizen has signed up to speak on the following item:

**SUBJECT: NC 54/I-40 CORRIDOR STUDY PLAN**

To receive a report from the Administration--clarifying language on Kentington Heights Future Land Use Plan.

To adopt the NC 54/I-40 Corridor Study Plan (including Corridor Study Draft Plan, two parts--Narrative and Map Book; update dated June 25, 2001; and update labeled Housing).

Dr. Anita Keith-Foust, of 323 W. Trinity Avenue, spoke on this item noting our plea is to have the small area plan changed and is working with the City Manager on this matter. Also, she noted the residents of Kentington Heights are suffering.

**Note: Council took Action earlier in the meeting to defer this item until the December 17, 2001 City Council Meeting.**



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**SUBJECT: ELVIRA COLLINS - PAVING OF PORTION OF CHALK LEVEL ROAD**

City Manager Conner noted staff was directed to bring back an agenda item to the December 17, 2001 City Council Meeting.

**MOTION** by Council Member Clement seconded by Council Member Stith to hear from Elvira Collins requesting the paving of a limited portion of Chalk Level Road; and

To receive the report from the Administration; and

To direct staff to prepare an agenda item setting a public hearing for the ordering of street paving of Chalk Level Road under the Enabling Act Authority [Also an additional report to be made at a future date] was approved at 10:06 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

At this time, Mayor Bell noted a request was made by Victoria Peterson to add an item to the agenda.

**MOTION** by Council Member Clement seconded by Council Member Edwards to add the following item to the agenda to hear from Victoria Peterson concerning the small business loan program was approved at 10:07 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**[ITEM ADDED TO THE AGENDA]**

**SUBJECT: SMALL BUSINESS LOAN PROGRAM**

To receive comments from Victoria Peterson on the Small Business Loan Program.

Victoria Peterson, of P. O. Box 101, raised a concern about the \$840,000 dealing with the Small Business Loan project. She urged Council to add an item to the agenda this month to update citizens on this matter.

Council took no action on this item.

There being no further business to come before the City Council, the meeting was adjourned at 10:12 p.m.

Linda E. Bratcher  
Deputy City Clerk

D. Ann Gray, CMC  
City Clerk

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